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5 Attorneys for Complainant
6
7

8 BEFORE THE
DIVISION OF MEDICAL QUALITY
9 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation)	
Against:)	Board Case No. D-4084
)	
12 GREGORY BERNARD JACKSON, M.D.)	
13 8943 South Gramercy Place)	DEFAULT DECISION
Los Angeles, CA 90047)	OF THE
14 Physician's and Surgeon's)	DIVISION OF
Certificate No. G47576,)	MEDICAL QUALITY
)	[Government Code
15 Respondent.)	\$11520(a)]
16)	

17
18 The above-captioned matter came on regularly before the
19 Division of Medical Quality of the Medical Board of California
20 ("Division") for action as a default matter. The Division,
21 having reviewed the pleadings, documents of service, affidavits,
22 admissions of the respondent, and other evidence, finds that:

23 Jurisdiction

24 1. On or about September 29, 1989, Kenneth Wagstaff
25 ("complainant"), in his official capacity as Executive Director
26 of the Board of Medical Quality Assurance of the State of
27 California (now titled Medical Board of California), caused to be

1 filed in Board Case No. D-4084, an Accusation against Gregory
2 Bernard Jackson, M.D. ("respondent").

3 2. On or about June 14, 1982, the Board of Medical
4 Quality Assurance issued, pursuant to Business and Professions
5 Code §§ 2005, 2050, Physician's and Surgeon's Certificate No.
6 G47576 to respondent. Said certificate has been, since November
7 30, 1985, and currently is in cancelled status due to nonpayment
8 of renewal fees.

9 3. Pursuant to California Code of Regulations, Title
10 16, §1303, the Medical Board of California is an agency which
11 requires each licensee under the Medical Practice Act to file his
12 or her proper and current mailing address with the Division at
13 its principal office and to immediately notify the Division at
14 its office of any and all changes of mailing address, by
15 specifying both the old and new addresses.

16 4. At all times relevant hereto, respondent's address
17 of record on file with the Division was 8943 South Gramercy
18 Place, Los Angeles, California 90047.

19 5. In accordance with Government Code §11505(c), the
20 complainant caused to be served by certified mail copies of the
21 Accusation and related documents at respondent's address of
22 record, as well as at two other addresses at which respondent was
23 reputed to either work or reside. For two of the three certified
24 mailings, a green return receipt indicated that the mailing had
25 been received during October 1989.

26 6. Respondent did not file timely, and to date has not
27 filed, a Notice of Defense in this matter.

1 Usage of cocaine; out of state discipline

2 7. The Division hereby takes official notice of the
3 record of proceedings of the Medical Examining Board of the State
4 of Wisconsin, in the matter entitled, In the Matter of
5 Disciplinary Proceedings Against Gregory Jackson, M.D., Case no.
6 LS8608221MED. A true and correct copy of the decision in said
7 matter was attached to and incorporated by reference into the
8 Accusation in Board Case No. D-4084. True and correct copies of
9 said decision were attached to the accusations which were served
10 on respondent at his address of record and which were mailed to
11 respondent's other reputed addresses.

12 8. The decision of the Wisconsin Medical Examining
13 Board incorporates stipulated facts and legal conclusions, to all
14 of which respondent has expressly agreed. Among the
15 stipulations, respondent stipulated to and admitted that he "used
16 cocaine from November, 1985 through April 2, 1986 for
17 recreational nonmedical purposes and without a prescription."

18 Possession of cocaine

19 9. On or about August 29, 1984, Los Angeles police
20 found respondent in unlawful possession of cocaine. Prior to
21 finding respondent in possession of cocaine, when police pulled
22 respondent over and asked to see his driver's license, respondent
23 instead sped off in his car and caused police to engage in a high
24 speed chase. These facts led to the filing of Los Angeles County
25 Municipal Court case no. V192712, entitled The People of the
26 State of California v. Gregory B. Jackson. On or about November
27 21, 1984, a bench warrant was issued against respondent for his

1 failure to appear in court as promised for the trial in case no.
2 V192712. No evidence exists to show that respondent has yet
3 resolved said bench warrant or said case.

4 Drunk driving

5 10. On or about November 30, 1981, respondent was
6 convicted of drunk driving in Los Angeles County Municipal Court
7 case no. 791908, entitled, The People of the State of California
8 v. Gregory Bernard Jackson.

9 11. On or about November 5, 1982, respondent was
10 convicted of drunk driving in Los Angeles County Municipal Court
11 case no. V136221, entitled, The People of the State of California
12 v. Gregory Bernard Jackson. The facts and circumstances which
13 led to the conviction are as follows: while under the influence
14 of alcohol, respondent drove over the yellow roadway dividing
15 line and began driving against traffic. Respondent then struck
16 an oncoming vehicle and caused it to flip over. The occupants of
17 the rolled car were injured. These acts and omissions
18 constituted a violation of the terms and conditions of probation
19 instituted following the 1981 drunk driving conviction set forth
20 in paragraph 10 supra.

21 DETERMINATION OF ISSUES

22 Jurisdiction

23 12. Pursuant to the provisions of Government Code
24 §11505(c) and California Code of Regulations, Title 16, §1303,
25 respondent was properly served with the Accusation on file herein
26 and was given due notice of the charges in said Accusation.
27 Respondent has failed to file a Notice of Defense.

1 13. Pursuant to the provisions of Government Code
2 §11520, the Division has jurisdiction over respondent and may
3 properly enter respondent's default.

4 Usage of cocaine

5 14. Respondent's usage of cocaine violates Health and
6 Safety Code §11170 and therefore constitutes unprofessional
7 conduct under Business and Professions Code section 2238. Such
8 unprofessional conduct is grounds to take disciplinary action
9 against respondent's physician's and surgeon's certificate
10 pursuant to Business and Professions Code section 2234, 2220.

11 15. Respondent's usage of cocaine constitutes
12 unprofessional conduct under Business and Professions Code
13 sections 2239(a). Such unprofessional conduct is grounds to take
14 disciplinary action against respondent's physician's and
15 surgeon's certificate pursuant to Business and Professions Code
16 sections 2234, 2220.

17 Possession of cocaine

18 16. Respondent's possession of cocaine violates Health
19 and Safety Code section 11350(a) and therefore constitutes
20 unprofessional conduct under Business and Professions Code
21 sections 2238. Such unprofessional conduct is grounds to take
22 disciplinary action against respondent's physician's and
23 surgeon's certificate pursuant to Business and Professions Code
24 sections 2234, 2220.

25 /

26 /

27 /

1 Drunk driving

2 17. Respondent's usage of alcoholic beverages in a
3 manner dangerous or injurious to himself and others, as well as
4 his misdemeanor convictions resulting from the usage of
5 intoxicating substances, constitutes unprofessional conduct under
6 Business and Professions Code sections 2239(a). Such
7 unprofessional conduct is grounds to take disciplinary action
8 against respondent's physician's and surgeon's certificate
9 pursuant to Business and Professions Code sections 2234, 2220.

10 18. The causes for disciplinary action set forth in
11 paragraphs 14 through 17, inclusive, are individually and
12 collectively grounds for disciplinary action against respondent's
13 physician's and surgeon's certificate.


14
15 ORDER

16 WHEREFORE, the Division makes the following order:

17 Physician's and Surgeon's Certificate No. G47576,
18 heretofore issued to GREGORY BERNARD JACKSON, M.D., is
19 revoked.

20 Effective date of this Decision is April 5, 1991

21 So ordered March 6, 1991.

22 
23 THERESA CLAASSEN - Secretary/Treasurer
24 Division of Medical Quality
25 Medical Board of California
26
27

1 JOHN K. VAN DE KAMP
Attorney General of the State of California
2 ELISA B. WOLFE
Deputy Attorney General
3 3580 Wilshire Boulevard, Suite 800
Los Angeles, California 90010
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5 Attorneys for Complainant

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7 BEFORE THE
DIVISION OF MEDICAL QUALITY
8 BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation) Board Case No. D- 4084
Against:)
11) OAH Case No. L-
GREGORY BERNARD JACKSON, M.D.)
12 8943 South Gramercy Place) ACCUSATION
Los Angeles, California 90047)
13 Physician's and Surgeon's)
Certificate No. G47576,)
14 Respondent.)
15

16 KENNETH J. WAGSTAFF ("Complainant"), for causes for
17 discipline, alleges:

18 I

19 1. Complainant makes and files this accusation in his
20 official capacity as Executive Director of the Board of Medical
21 Quality Assurance, Department of Consumer Affairs, State of
22 California.

23 II

24 2. On or about June 14, 1982, the Board of Medical
25 Quality Assurance issued, pursuant to Business and Professions
26 Code sections 2005, 2050, Physician's and Surgeon's Certificate
27 No. G47576 to GREGORY BERNARD JACKSON, M.D. ("respondent"). Said

1 certificate has been, since November 30, 1985, and currently is
2 in cancelled status due to nonpayment of renewal fees.^{1/}

3 III

4 3. Business and Professions Code section 2220 requires
5 that the Division of Medical Quality of the Board of Medical
6 Quality Assurance shall enforce and administer the provisions of
7 Article 12^{2/} of the Medical Practice Act^{3/} as to all holders of
8 physician's and surgeon's certificates.

9 4. Business and Professions Code section 2305 declares
10 in pertinent part that, "The revocation, suspension, or other
11 discipline by another state of a license or certificate to
12 practice medicine issued by the state...to a licensee under this
13 chapter shall constitute grounds for disciplinary action."

14 5. Business and Professions Code section 2234 states
15 in relevant part that, "The Division of Medical Quality shall
16 take action against any licensee who is charged with
17 unprofessional conduct..."

18 6. Business and Professions Code section 2238 provides
19 that, "A violation of any federal statute or federal regulation
20 or any of the statutes or regulations of this state regulating
21 dangerous drugs or controlled substances constitutes
22 unprofessional conduct."

23

24 1. Business and Professions Code § 118(b) provides that
25 the expiration, forfeiture, or cancellation of a license shall
26 not deprive the board of its authority to institute disciplinary
proceedings or to take disciplinary action.

27 2. Business and Professions Code sections 2220-2319.

3. Business and Professions Code section 2000 et seq.

7. Health and Safety Code section 11170 declares that,
"No person shall prescribe, administer, or furnish a controlled
substance for himself."

8. "Cocaine base" is a Schedule I controlled substance under Health and Safety Code section 11054(f)(1). "Cocaine" is a Schedule II controlled substance under Health and Safety Code section 11055(b)(6).

9. Business and Professions Code section 2239(a) states in part that, "The use or prescribing for or administering to himself or herself of any controlled substance; or the use of any of the dangerous drugs specified in Section 4211, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to any other person or to the public, ... or more than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section, or any combination thereof, constitutes unprofessional conduct. The record of the conviction is conclusive evidence of such unprofessional conduct."

IV

10. On or about January 15, 1987, the Medical Examining Board of the State of Wisconsin adopted as the Board's decision the Proposed Decision of the Hearing Examiner in the case entitled, In the Matter of Disciplinary Proceedings Against Gregory Jackson, M.D., Case No. LS8608221MED. A true and correct copy of the Board's decision, entitled "Final Decision and Order," and the supporting complaint are attached hereto as

1 Exhibit 1 and incorporated herein by this reference.

2 11. The Final Decision and Order, as well as the
3 Proposed Decision, incorporate stipulated facts, legal
4 conclusions, and disciplinary measures, to all of which
5 respondent has expressly agreed.

6 12. In its Final Decision and Order, and pursuant to
7 said stipulation, the Wisconsin Board accepted respondent's
8 voluntary surrender of his Wisconsin medical license and issued
9 respondent a limited medical license. Said limited license
10 allows respondent to practice medicine only under supervised,
11 restricted conditions.

12 13. In the stipulated facts in the Wisconsin Board's
13 Final Decision and Order, respondent stipulated that he "used
14 cocaine from November, 1985 through April 2, 1986 for
15 recreational nonmedical purposes and without a prescription."

16 14. The discipline imposed by the Wisconsin Medical
17 Examining Board upon respondent's Wisconsin medical license
18 constitutes grounds for disciplinary action against respondent's
19 California physician's and surgeon's certificate pursuant to
20 Business and Professions Code sections 2305, 2220.

21 15. Respondent's usage of cocaine violates Health and
22 Safety Code section 11170 and therefore constitutes
23 unprofessional conduct under Business and Professions Code
24 section 2238. Such unprofessional conduct is grounds to take
25 disciplinary action against respondent's physician's and
26 surgeon's certificate pursuant to Business and Professions Code
27 section 2234, 2220.

16. Respondent's usage of cocaine constitutes unprofessional conduct under Business and Professions Code sections 2239(a). Such unprofessional conduct is grounds to take disciplinary action against respondent's physician's and surgeon's certificate pursuant to Business and Professions Code sections 2234, 2220.

V

17. Health and Safety Code section 11350(a) declares
in relevant part that:

[E]very person who possesses (1) any controlled substances specified in subdivision (b) or (c) or paragraph (1) of subdivision (f) of section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of section 11054, or specified in subdivision (b), (c), or (g) of section 11054,...unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the state prison."

18. On or about August 29, 1984, Los Angeles police found respondent in unlawful possession of cocaine.

19. Respondent's possession of cocaine violates Health and Safety Code section 11350(a) and therefore constitutes unprofessional conduct under Business and Professions Code sections 2238. Such unprofessional conduct is grounds to take disciplinary action against respondent's physician's and surgeon's certificate pursuant to Business and Professions Code sections 2234, 2220.

20. As facts and circumstances in aggravation of the grounds for disciplinary action set forth in paragraph 19, on August 29, 1984, when police pulled respondent over and asked to see his driver's license, respondent instead sped off in his car and caused police to engage in a high speed chase.

21. As facts and circumstances in further aggravation of the grounds for disciplinary action set forth in paragraph 19, the events set forth in paragraphs 18 and 20 led to the filing of Los Angeles County Municipal Court case no. V192712, entitled The People of the State of California v. Gregory B. Jackson. On or about November 21, 1984, a bench warrant was issued against respondent for his failure to appear in court as promised for the trial in case no. V192712.

VI

22. On or about November 30, 1981, respondent was convicted of drunk driving in Los Angeles County Municipal Court case no. 791908, entitled, The People of the State of California v. Gregory Bernard Jackson.

23. On or about November 5, 1982, respondent was convicted of drunk driving in Los Angeles County Municipal Court case no. V136221, entitled, The People of the State of California v. Gregory Bernard Jackson. The facts and circumstances which led to the conviction are as follows: while under the influence of alcohol, respondent drove over the yellow roadway dividing line and began driving against traffic. Respondent then struck an oncoming vehicle and caused it to flip over. The occupants of the rolled car were injured. As circumstances in aggravation of

this conviction, respondent's acts and omissions constituted a probation violation for the conviction set forth in paragraph 22 supra.

24. Respondent's usage of alcoholic beverages and other intoxicating substances in a manner dangerous or injurious to himself and others, as well as his misdemeanor convictions resulting from the usage of intoxicating substances, constitutes unprofessional conduct under Business and Professions Code sections 2239(a). Such unprofessional conduct is grounds to take disciplinary action against respondent's physician's and surgeon's certificate pursuant to Business and Professions Code sections 2234, 2220.

VII

25. Business and Professions Code section 2227 states in pertinent part that:

"A licensee whose matter has been heard by the Division of Medical Quality,...or by an administrative law judge, or whose default has been entered, and who is found guilty may, in accordance with the provisions of this chapter:

(a) Have his or her certificate revoked upon order of the division.

(b) Have his or her right to practice suspended for a period not to exceed one year upon order of the division...

(c) Be placed on probation upon order of the division...

(d) Publicly reprimanded by the division...

1 (e) Have such other action taken in relation to
2 discipline as the division...or an administrative law
3 judge may deem proper."

4 VIII


5 26. For the reasons set forth in paragraphs 2 through
6 25, inclusive, good cause exists to impose discipline on the
7 physician's and surgeon's certificate issued to respondent.

8 WHEREFORE, complainant prays that a hearing be held and
9 that the Division of Medical Quality of the Board of Medical
10 Quality Assurance make its order:

11 1. Revoking Physician's and Surgeon's Certificate No.
12 G47576, issued to Gregory Bernard Jackson, M.D.; and

13 2. Taking such other and further action as may be
14 deemed proper and appropriate.

15 DATED: September 29, 1989

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KENNETH J. WAGSTAFF
Executive Director
Board of Medical Quality Assurance
Department of Consumer Affairs
State of California

Complainant

EXHIBIT 1



State of Wisconsin \

DEPARTMENT OF REGULATION & LICENSING

Anthony S. Earl
Governor

Barbara Nichols
Secretary

1400 E. WASHINGTON AVENUE
P.O. Box 8936
MADISON, WISCONSIN 53708
608 266-2112

CERTIFICATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Deanna Zychowski, Administrative Assistant of the State of Wisconsin Medical Examining Board and the legal deputy custodian of the records of the Medical Examining Board do hereby certify that the documents annexed hereto have been compared by me with the originals filed in the office of the Medical Examining Board and that the annexed documents are true and correct copies thereof.

Dated this 10th day of March, 19 88.

MEDICAL EXAMINING BOARD


Deanna Zychowski, Administrative Assistant

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

GREGORY JACKSON, M.D.,
(Case #LS8608221MED),
RESPONDENT.

:
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:

ORDER RENEWING
LIMITED LICENSE

By its Final Decision and Order dated January 15, 1987, the board accepted the voluntary surrender of respondent's unlimited license to practice medicine and surgery in Wisconsin, and granted a limited license to practice medicine and surgery under specified terms and conditions. The term of the license was for one year, and Dr. Jackson appeared on January 28, 1988, in support of his application for renewal.

ORDER

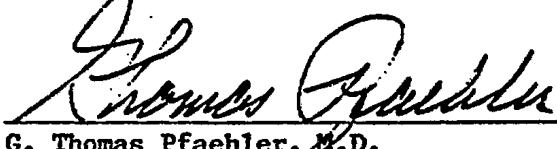
NOW, THEREFORE, IT IS ORDERED that the limited license of Gregory Jackson, M.D., to practice as a physician and surgeon in the State of Wisconsin be, and hereby is, renewed for a period of one year.

IT IS FURTHER ORDERED that all terms and conditions on the limited license imposed by the board's Final Decision and Order dated January 15, 1987, shall remain in full force and affect, except that Dr. Jackson's supervising physician shall be changed from Dr. William P. McDaniel to Dr. Richard P. Gerhardstein, Medical Director of DePaul Rehabilitation Hospital.

Dated at Madison, Wisconsin this 24 day of February, 1988.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by


G. Thomas Pfaehler, M.D.
Secretary

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

GREGORY JACKSON, M.D., :
(Case #LS8608221MED), :
RESPONDENT. :

FINAL DECISION
AND ORDER

The State of Wisconsin, Medical Examining Board, having considered the above-captioned matter and having reviewed the record and the Proposed Decision, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Medical Examining Board. Let a copy of this order be served on the respondent by certified mail.

A party aggrieved by this decision may petition the board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.49. The party to be named as respondent in the petition is Gregory Jackson, M.D.

A party aggrieved by this decision who is a resident of this state may also petition for judicial review by filing the petition in the office of the clerk of the circuit court for the county where the party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve the board and other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.53. The party to be named as respondent in the petition is the State of Wisconsin, Medical Examining Board.

Dated this 15 day of JANUARY, 1987.



STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

GREGORY JACKSON, M.D., :
(Case #LS8608221MED), :

RESPONDENT. :

PROPOSED DECISION

The parties to this proceeding for the purpose of Wis. Stats.
sec. 227.53 are:

Gregory Jackson, M.D.
1600 Carlton Drive
Racine, WI 53402

Wisconsin Medical Examining Board
1400 East Washington Avenue, Room 176
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

The Examiner received a Stipulation submitted by the parties in the above-captioned matter. The Stipulation, a copy of which is attached hereto and incorporated herein, was executed by Gregory Jackson, M.D., the Respondent, and Gilbert C. Lubcke, the Complainant's attorney.

Based upon the Stipulation, the Hearing Examiner recommends that the Medical Examining Board adopt as its final decision in this case the following Findings of Fact, Conclusions of Law, and Order, which are based on the terms agreed upon and stipulated to by the parties.

FINDINGS OF FACT

1. Gregory Jackson, M.D., Respondent herein, 1600 Carlton Drive, Racine, Wisconsin is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin, license #27235, said license having been issued on October 25, 1985.
2. Gregory Jackson is presently the Respondent in a disciplinary action before the Wisconsin Medical Examining Board.
3. Gregory Jackson used cocaine from November, 1985 through April 2, 1986 for recreational nonmedical purposes and without a prescription.

4. Cocaine is a Schedule II controlled substance as defined in Wis. Stats. sec. 161.01(4) and 161.16(2)(b)(1).

5. Wis. Stats. sec. 161.38(5) prohibits a practitioner from taking without a prescription a controlled substance included in Schedule II for a practitioner's own personal use.

6. The parties to this proceeding have waived the right to file objections to this Proposed Decision as permitted by Wis. Stats. sec. 227.46 and Wis. Adm. Code sec. RL 2.10(3), and have authorized the Hearing Examiner to render a Proposed Decision and the Medical Examining Board a Final Decision and Order without further notice to the parties.

CONCLUSIONS OF LAW

1. The Medical Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. secs. 448.02(3) and 227.44(5).

2. Cocaine is a Schedule II controlled substance as defined in Wis. Stats. sec. 161.01(4) and 161.16(2)(b)(1).

3. Wis. Stats. sec. 161.38(5) prohibits a practitioner from taking without a prescription a controlled substance included in Schedule II for a practitioner's own personal use.

4. Gregory Jackson's conduct as herein described was unprofessional conduct contrary to Wis. Stats. sec. 448.02(3) and Wis. Adm. Code sec. MED 10.02(2)(p) in that he administered cocaine to himself from November, 1985 to April 2, 1986 contrary to Wis. Stats. sec. 161.38(5).

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that the voluntary surrender by Gregory Jackson, M.D., of his license to practice medicine and surgery in the State of Wisconsin is accepted and a limited license to practice medicine and surgery is granted with the following terms and conditions. ---

- a. The limitations set forth herein shall remain in full force and effect for a period of five (5) years from the date of the Medical Examining Board Final Decision and Order.
- b. William P. McDaniel, M.D., Medical Director at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin, shall be Dr. Jackson's supervising physician throughout the full term of this limited license. In the event that Dr. McDaniel is unable or unwilling to serve as supervising physician, the Medical Examining Board shall in its sole discretion select a successor supervising physician.

- c. Dr. Jackson shall enroll in and participate in all components of the impaired professional's program at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin or at such other facilities which are under the direction and control of DePaul Rehabilitation Hospital and which are located within the State of Wisconsin as his supervising physician shall determine to be appropriate for his rehabilitation. Dr. Jackson shall commence his involvement in the impaired professional's program within ten (10) days of the date of the Final Decision and Order of the Wisconsin Medical Examining Board by entering DePaul Rehabilitation Hospital as an inpatient for an initial evaluation. Dr. Jackson shall thereafter comply with all recommendations of his supervising physician for inpatient or outpatient treatment or both and shall comply with all aspects of the treatment program as recommended by his supervising physician.
- d. Dr. Jackson shall abstain from any and all personal use of controlled substances as defined in Wis. Stats. sec. 161.01(4) except when necessitated by a legitimate medical condition and then only with the prior approval of the supervising physician.
- e. Dr. Jackson shall abstain from any and all personal use of alcohol.
- f. Dr. Jackson shall report all medications and drugs, over-the-counter or prescription, taken by him to his supervising physician within 24 hours of ingestion or administration, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs for him. The terms of this subparagraph shall not be deemed to modify or negate Dr. Jackson's obligations as set forth in subparagraph (d) of this Proposed Decision.
- g. Dr. Jackson shall supply on at least a weekly basis random monitored urine or blood specimens within 24 hours of a request for said specimen made by the supervising physician or his designee. The supervising physician or his designee shall determine whether the specimen shall be a urine specimen or a blood specimen or both. Collection of these specimens shall be observed and verified by persons designated by the supervising physician.
- h. If any urine or blood specimen is positive or suspected positive for any controlled substances or alcohol, Dr. Jackson shall promptly submit to additional tests and examinations as the supervising physician or his designee shall determine to be appropriate to clarify or confirm the positive or suspected positive urine or blood test results.
- i. Dr. Jackson shall not prescribe, dispense, administer, or order any controlled substances for any person. Dr. Jackson shall voluntarily surrender his DEA registration to prescribe, dispense, administer and order controlled substances to the Drug Enforcement Administration within ten (10) days of the date of the Final

Decision and Order of the Medical Examining Board adopting the terms of this Stipulation. Dr. Jackson shall not make reapplication for a DEA registration until the terms of the limited license have been satisfied or until the Medical Examining Board modifies the terms of the limited license to permit the prescribing, dispensing, administering or ordering of controlled substances.

- j. The supervising physician shall submit formal written reports to the Medical Examining Board every 90 days commencing 90 days after the date of the Medical Examining Board Final Decision and Order. The report shall assess Dr. Jackson's progress in his rehabilitation program and set forth the results of the random urine and blood screens. Dr. Jackson shall be responsible for the timely filing of these reports. The supervising physician and Dr. Jackson shall report immediately to the Medical Examining Board any suspected violations of the Medical Examining Board Final Decision and Order granting this limited license including but not limited to any positive or suspected positive blood or urine screens.
- k. Dr. Jackson shall provide and keep on file with his supervising physician and all treatment facilities and personnel current releases which comply with state and federal laws authorizing release of all of his medical and treatment records and reports to the Medical Examining Board and permit his supervising physician and his treating physicians and therapists to disclose and discuss the progress of his treatment and rehabilitation with the Medical Examining Board. Copies of said releases shall be filed simultaneously with the Medical Examining Board.
- l. Dr. Jackson shall appear before the Medical Examining Board at least annually to review the progress of his treatment and rehabilitation. Dr. Jackson may petition the Medical Examining Board for modification of the terms of his limited license and the Medical Examining Board shall consider Dr. Jackson's petition at the time it meets with Dr. Jackson to review the progress of his rehabilitation. Denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stats. sec. 227.01(3)(a) and Dr. Jackson shall not have a right to any further hearings or proceedings on any denial in whole or in part of his petition for modification of his limited license.

(Violation of any term or condition of the Medical Examining Board Final Decision and Order may constitute grounds for revocation of Dr. Jackson's license to practice medicine and surgery in the State of Wisconsin.)

(If any term or condition of this Proposed Decision is not adopted by the Medical Examining Board, then no term or condition of the attached

Stipulation upon which this Proposed Decision is based, shall be binding in any manner on any party (Wis. Adm. Code sec. RL 2.12) and the matter shall be remanded to the Examiner for further proceedings.)

Dated at Madison, Wisconsin this 12th of January, 1987.

Respectfully submitted,



Jeanine S. Larson
Hearing Examiner

GCL:dms
018-932

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

GREGORY JACKSON, M.D., :
(Case #LS8608221MED), :
RESPONDENT. :

STIPULATION

It is hereby stipulated between Gregory Jackson, M.D., Respondent,
and Gilbert C. Lubcke, attorney for Complainant, as follows:

1. Gregory Jackson, M.D., Respondent herein, 1600 Carlton Drive, Racine, Wisconsin is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin, license #27235, said license having been issued on October 25, 1985.
2. Gregory Jackson is presently the Respondent in a disciplinary action before the Wisconsin Medical Examining Board. A copy of the Complaint which sets forth the basis for this proceeding is attached hereto.
3. Gregory Jackson used cocaine from November, 1985 through April 2, 1986 for recreational nonmedical purposes and without a prescription.
4. Cocaine is a Schedule II controlled substance as defined in Wis. Stats. sec. 161.01(4) and 161.16(2)(b)(1).
5. Wis. Stats. sec. 161.38(5) prohibits a practitioner from taking without a prescription a controlled substance included in Schedule II for a practitioner's own personal use.
6. Gregory Jackson's conduct as herein described was unprofessional conduct contrary to Wis. Stats. sec. 448.02(3) and Wis. Adm. Code sec. MED 10.02(2)(p) in that he administered cocaine to himself from November, 1985 to April 2, 1986 contrary to Wis. Stats. sec. 161.38(5).
7. Gregory Jackson in consideration of his admissions as set forth above and for the purpose of resolving the pending disciplinary proceeding consents to the entry of a Proposed Decision and a Final Decision and Order, copies of which are attached hereto and incorporated herein.
8. Gregory Jackson, in consideration of his admissions as set forth above, hereby voluntarily surrenders his license to practice medicine and surgery in the State of Wisconsin and consents to the entry of a Proposed Decision and a Final Decision and Order granting him a limited license containing the following terms and conditions:
 - a. The limitations set forth herein shall remain in full force and effect for a period of five (5) years from the date of the Medical Examining Board Final Decision and Order adopting the terms of this Stipulation.

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Hearing Examiner
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- b. William P. McDaniel, M.D., Medical Director at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin, shall be Dr. Jackson's supervising physician throughout the full term of this limited license. In the event that Dr. McDaniel is unable or unwilling to serve as supervising physician, the Medical Examining Board shall in its sole discretion select a successor supervising physician.
- c. Dr. Jackson shall enroll in and participate in all components of the impaired professional's program at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin, or at such other facilities which are under the direction and control of DePaul Rehabilitation Hospital and which are located within the State of Wisconsin, as his supervising physician shall determine to be appropriate for his rehabilitation. Dr. Jackson shall commence his involvement in the impaired professional's program within ten (10) days of the date of the Final Decision and Order of the Wisconsin Medical Examining Board by entering DePaul Rehabilitation Hospital as an inpatient for an initial evaluation. Dr. Jackson shall thereafter comply with all recommendations of his supervising physician for inpatient or outpatient treatment or both and shall comply with all aspects of the treatment program as recommended by his supervising physician.
- d. Dr. Jackson shall abstain from any and all personal use of controlled substances as defined in Wis. Stats. sec. 161.01(4) except when necessitated by a legitimate medical condition and then only with the prior approval of the supervising physician.
- e. Dr. Jackson shall abstain from any and all personal use of alcohol.
- f. Dr. Jackson shall report all medications and drugs, over-the-counter or prescription, taken by him to his supervising physician within 24 hours of ingestion or administration, and shall identify the person or persons who prescribed, dispensed, administered or ordered such medications or drugs for him. The terms of this subparagraph shall not be deemed to modify or negate Dr. Jackson's obligations as set forth in subparagraph 8d of this Stipulation.
- g. Dr. Jackson shall supply on at least a weekly basis random monitored urine or blood specimens within 24 hours of a request for said specimen made by the supervising physician or his designee. The supervising physician or his designee shall determine whether the specimen shall be a urine specimen or a blood specimen or both. Collection of these specimens shall be observed and verified by persons designated by the supervising physician.
- h. If any urine or blood specimen is positive or suspected positive for any controlled substances or alcohol, Dr. Jackson shall promptly submit to additional tests and examinations as the supervising physician or his designee shall determine to be appropriate to clarify or confirm the positive or suspected positive urine or blood test results.

- i. Dr. Jackson shall not prescribe, dispense, administer or order any controlled substances for any person. Dr. Jackson shall voluntarily surrender his DEA registration to prescribe, dispense, administer and order controlled substances to the Drug Enforcement Administration within ten (10) days of the date of the Final Decision and Order of the Medical Examining Board adopting the terms of this Stipulation. Dr. Jackson shall not make reapplication for a DEA registration until the terms of the limited license have been satisfied or until the Medical Examining Board modifies the terms of the limited license to permit the prescribing, dispensing, administering or ordering of controlled substances.
- j. The supervising physician shall submit formal written reports to the Medical Examining Board every 90 days commencing 90 days after the date of the Medical Examining Board Final Decision and Order. The report shall assess Dr. Jackson's progress in his rehabilitation program and set forth the results of the random urine and blood screens. Dr. Jackson shall be responsible for the timely filing of these reports. The supervising physician and Dr. Jackson shall report immediately to the Medical Examining Board any suspected violations of the Medical Examining Board Final Decision and Order granting this limited license including but not limited to any positive or suspected positive blood or urine screens.
- k. Dr. Jackson shall provide and keep on file with his supervising physician and all treatment facilities and personnel current releases which comply with state and federal laws authorizing release of all of his medical and treatment records and reports to the Medical Examining Board and permit his supervising physician and his treating physicians and therapists to disclose and discuss the progress of his treatment and rehabilitation with the Medical Examining Board. Copies of said releases shall be filed simultaneously with the Medical Examining Board.
1. Dr. Jackson shall appear before the Medical Examining Board at least annually to review the progress of his treatment and rehabilitation. Dr. Jackson may petition the Medical Examining Board for modification of the terms of his limited license and the Medical Examining Board shall consider Dr. Jackson's petition at the time it meets with Dr. Jackson to review the progress of his rehabilitation. Denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stats. sec. 227.01(3)(a) and Dr. Jackson shall not have a right to any further hearings or proceedings on any denial in whole or in part of his petition for modification of his limited license.


9. The parties to this Stipulation waive the right to file objections to the Proposed Decision as permitted by Wis. Stats. sec. 227.46 and Wis. Adm. Code sec. RL 2.10(3), and authorize the Hearing Examiner to render a Proposed Decision and the Medical Examining Board a Final Decision and Order without further notice to the parties.

10. Dr. Jackson understands that by the signing of this Stipulation, he voluntarily and knowingly waives his rights, including the right to a hearing on the allegations against him at which the State has the burden of proving the allegations by clear, satisfactory and convincing evidence; the right to be represented by an attorney; the right to confront and cross-examine witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify on his own behalf; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

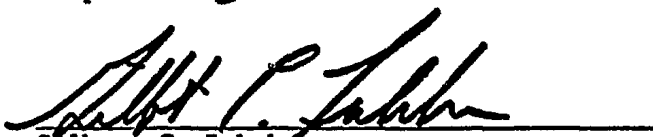
11. Violation of any term or condition of the Medical Examining Board Final Decision and Order adopting the terms and conditions of this Stipulation may constitute grounds for revocation of Dr. Jackson's license to practice medicine and surgery in the State of Wisconsin.

12. If any term or condition of this Stipulation is not accepted by both the Hearing Examiner and the Medical Examining Board, then no term of this Stipulation shall be binding in any manner on any party.

Dated: 01/09/87


Gregory Jackson, M.D.,
Respondent

Dated: 1/9/87


Gilbert C. Lubcke,
Attorney for Complainant

GCL:dms
710-463

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

COMPLAINT

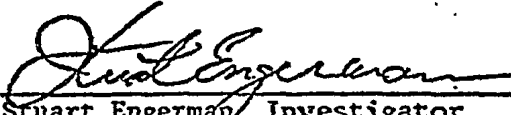
GREGORY JACKSON, M.D., :
(Case #LS8608221MED) :
RESPONDENT. :

Stuart Engerman, Investigator for the State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, upon information and belief, complains and alleges:

1. Gregory Jackson, M.D., Respondent herein, 1600 Carlton Drive, Racine, Wisconsin is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin, license #27235, said license having been issued on October 25, 1985.
2. Respondent regularly used cocaine from November, 1985 through April 2, 1986 for recreational nonmedical purposes and without a prescription.
3. Cocaine is a Schedule II controlled substance as defined in Wis. Stats. sec. 161.01(4) and 161.16(2)(b)(1).
4. Wis. Stats. sec. 161.38(5) prohibits a practitioner from taking without a prescription a controlled substance included in Schedule II for a practitioner's own personal use.
5. Respondent's conduct as herein described was unprofessional conduct contrary to Wis. Stats. sec. 448.02(3) and Wis. Adm. Code sec. MED 10.02(2)(p) in that he administered cocaine to himself on a regular basis from November, 1985 to April 2, 1986 contrary to Wis. Stats. sec. 161.38(5).

WHEREFORE the Complainant demands that the Board hear evidence relevant to the matter recited herein, determine, and impose the discipline warranted.

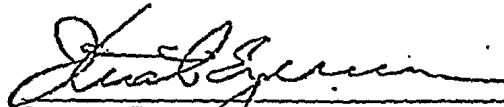
Dated: August 25th, 1986.


Stuart Engerman, Investigator
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

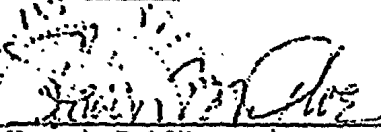
Stuart Engerman, being first duly sworn on oath deposes and says that he is an investigator for the State of Wisconsin, Department of Regulation

and Licensing, Division of Enforcement, and that he has read the foregoing Complaint and knows the contents thereof and that the same is true to his own knowledge, except as to those matters therein stated on information and belief and as to such matters, he believes them to be true.



Stuart Engerman
State of Wisconsin
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, Wisconsin 53708-8935

Subscribed and sworn to before me
this 25th day of August, 1986.



Notary Public
My Commission is permanant.

Gilbert C. Lubcke
Attorney for Complainant
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

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